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February 10, 2016

VIA ECF
Honorable Steven I. Locke
United States Court House
100 Federal Plaza
Central Islip
New York 11722-9014

Re: Malibu Media, LLC v. John Doe 15-cv-3504-SIL

Dear Honorable Judge Locke:

We represent Plaintiff Malibu, in the above matter. This case is scheduled for a telephonic hearing on February 11, 2016. In preparation for this hearing Plaintiff's counsel sent defense counsel, Mr. Park a copy of a proposed preservation order and advised Mr. Park if the parties could not agree to the wording of such an order the Plaintiff intended to raise with your honor at the scheduled hearing. Mr. Park acknowledged receipt of the proposed preservation order and went on to advise he was unable to consent to a preservation order without offering any suggested edits or revisions.

Given the length of the stay in discovery imposed in the matter and Plaintiff's other Eastern District of New York cases Plaintiff is properly concerned about the preservation of evidence in this matter. Therefore Plaintiff requests the court to enter the proposed preservation order.

Respectfully submitted,

By: Jacqueline M. James
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